

The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 4-27-61. Consent—claimed by Olin Mathieson Chemical Corp., and relabeled.

6494. Omin Plus iron phosphate tablets. (F.D.C. No. 44210. S. Nos 85-709/11 P.)

QUANTITY: 6 tins of Lot No. 41701, 7 tins of Lot No. 41702, and 4 tins of Lot No. 41703, each tin containing 25,000 tablets, at Fishkill, N.Y., in possession of Omin Co., Inc.

SHIPPED: Between 2-11-59 and 2-16-59, from Worcester, Mass.

LABEL IN PART: "Private Formula * * * Omin-Plus * * * Iron (Ferric) Phosphate 67 mg. (160% MDR)."

ACCOMPANYING LABELING: Streamers entitled "How Red Is Your Blood * * * Omin Plus," "Tired? Got That Worn-Out Feeling * * * Take Omin Plus," "Tired? Worn-Out? * * * Omin Tablets"; circular entitled "Omin Vitamins Omin Plus"; and charts entitled "Human Factory."

RESULTS OF INVESTIGATION: Analyses showed that the article contained approximately (Lot No. 41701) 55 percent, (Lot No. 41702) 58 percent, and (Lot No. 41703) 55 percent of the declared amounts of iron.

LIBELED: 2-11-60, S. Dist. N.Y.

CHARGE: 502(a)—while held for sale, the accompanying streamers, circulars, and charts contained false and misleading representations that the article was adequate and effective for the prevention and treatment of that tired, worn-out feeling; would restore pep and energy and make one feel better; would produce an adequate supply of red, healthy blood; that the article contained properties necessary to control and maintain proper glandular secretions and chemical functions of the human body; and that the article would serve to control and maintain proper functions of all glands and other organs and the metabolic processes of the human body to enjoy health.

The libel alleged also that the article was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 7-29-60. Default—destruction.

6495. Vitamin D in a soybean oil base. (F.D.C. No. 44191. S. No. 76-777 P.)

QUANTITY: 3,760 100-capsule btls. and 338 500-capsule btls. at Portland, Oreg., in the possession of Fred Meyer, Inc.

SHIPPED: Between 8-21-59 and 10-15-59, from Santa Monica and South Pasadena, Calif., and Newark, N.J.

LABEL IN PART: (Btl.) "Certified Capsules Lecithin with Vitamin D Dosage * * * Distributed by Fred Meyer, Inc., Portland, Oreg. Each Capsule Contains: Soy Lecithin 259.2 mg. Soy Bean Oil 170.2 mg. Vitamin D 150 USP Units (Irradiated Ergosterol)."

ACCOMPANYING LABELING: Placards entitled "Stay Alive Longer! Lecithin" and newspaper clippings of advertisements placed in a Portland newspaper by Fred Meyer, Inc., reading in part "Lecithin As Advised by Lelord Kordel," and "Stay Alive Longer Lecithin."

RESULTS OF INVESTIGATION: Investigation indicated that the product was vitamin D in a soybean oil base. The article was shipped in bulk as described above, and after arrival at Portland, Oreg., was repacked and labeled by the Stanley Drug Products, Inc., and then delivered to Fred Meyer, Inc.